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February 26, 2024

VIA ECF

Honorable Margo K. Brodie
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *State Farm Mutual Auto. Ins. Co. et al v. Metro Pain Specialists, P.C. et al*
Docket No.: 21-cv-5523(MKB)(PK)

Dear Judge Brodie:

Our office represents defendants, Metro Pain Specialists P.C., Tri-Borough NY Medical Practice P.C. and Leonid Shapiro (the “Metro Pain Defendants”).

On February 5, 2023, Plaintiffs served their motion to dismiss the counterclaims asserted by the Metro Pain Defendants, as well as the counterclaims asserted by Vadim Dolsky, L.Ac. and Optimum Health Acupuncture P.C. (the “Dolsky Defendants”) (collectively, with the Metro Pain Defendants, the “Counterclaimants”).

Pursuant to briefing schedule set forth by the parties (*see* Dkt. 500), which was adopted by the Court on January 11, 2024, Counterclaimants must serve opposition to Plaintiffs’ motion on or before March 1, 2024. Plaintiffs’ reply is due on or before March 12, 2024.

The Metro Pain Defendants respectfully request an extension of time of time to file opposition to Plaintiffs’ motion through and including March 15, 2024. Plaintiffs’ time to serve their reply would be extended through and including March 26, 2024. This briefing schedule would apply to all Counterclaimants.

Counsel for Plaintiffs and the Dolsky Defendants have both consented to this request. This is Metro Pain Defendants’ first request for an extension of time.

The Court’s attention to this matter is greatly appreciated.

Respectfully submitted,
HARFENIST KRAUT & PERLSTEIN, LLP

By: Steven J. Harfenist
Steven J. Harfenist

SJH/jsl

cc: All Counsel (via ECF)